

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SOMPO JAPAN INSURANCE COMPANY
OF AMERICA,

Plaintiff,

- against -

HANKYU EXPRESS INTERNATIONAL
CO., LTD., and KOREAN AIR LINES CO.,
LTD.,

Defendants.
-----X

KOREAN AIR LINES CO., LTD.,

Third-Party Plaintiff,

- against -

INTERNATIONAL CARGO MARKETING
CONSULTANTS, INC. d/b/a Alliance Airlines,

Third-Party Defendant.
-----X

07-CV-6476 (JGK) (THK)

ANSWER TO CROSS-CLAIM

Defendant KOREAN AIR LINES CO., LTD. (hereinafter "KAL"), by its attorneys Clyde & Co US LLP, answers the cross-claim in defendant HANKYU EXPRESS INTERNATIONAL CO., LTD's ("hereinafter "HANKYU") Answer with Cross-Claim to Plaintiff's Complaint as follows:

1. Denies the allegations in paragraphs 41 and 42 of the Answer with Cross-Claim.

AFFIRMATIVE DEFENSES

2. KAL hereby adopts, incorporates by reference, and asserts as affirmative defenses to the allegations, claims and/or causes of action set forth in the cross-claim, each and every affirmative defense set forth in KAL's Answer to Plaintiff's Complaint dated August 27, 2007.

3. Defendant HANKYU's cross-claim is barred by the two-year period of limitations set forth by Article 35 of the Montreal Convention and/or KAL's conditions of contract and, therefore, the cross-claim must be dismissed.

WHEREFORE, KAL demands judgment dismissing the cross-claim in its entirety.

Dated: New York, New York
September 14, 2007

CLYDE & CO US LLP

By: Andrew J. Harakas
Andrew J. Harakas (AH 3515)
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
(212) 710-3900

Attorneys for Defendant
KOREAN AIR LINES CO., LTD.

To: Thomas M. Eagan
Maloof Browne & Eagan LLC
411 Theodore Freund Avenue
Rye, New York 10580
(914) 921-1200
Attorneys for Plaintiff

Kevin J. Philbin
Mendes & Mount, LLP
750 Seventh Avenue
New York, New York 10019
(212) 261-8000
Attorneys for Defendant
Hankyu Express International Co., Ltd.

International Cargo Marketing Consultants, Inc.
d/b/a Alliance Airlines
P.O. Box 66751
AMF O'Hare International Airport - Cargo Building 517
Chicago, Illinois 60666-0751

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

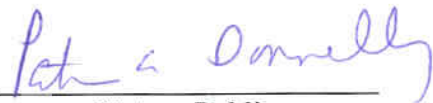
Mariana Nannarone, being duly sworn, deposes and says that deponent is not a party of this action, is over 18 years of age and resides in Brooklyn, New York. On September 14, 2007 deponent served the within **ANSWER TO CROSS-CLAIM** upon:

International Cargo Marketing Consultants, Inc.
d/b/a Alliance Airlines
P.O. Box 66751
AMF O'Hare International Airport - Cargo Building 517
Chicago, Illinois 60666-0751

The address(es) designated by said attorney(s) for that purpose by depositing a true copy thereof enclosed in a post-paid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.


Mariana Nannarone

Sworn to before me this
14th day of September, 2007


Notary Public

PATRICIA A. DONNELLY
Notary Public, State of New York
No. 01DO5087441
Qualified in New York County
Commission Expires Nov. 30, 2009